

AP13 Rec'D PCT/PTO 18 JAN 2007

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q73847

Kenji SHIMIZU, et al.

Appln. No.: 10/541,905

Group Art Unit: 2627

Confirmation No.: 6243

Examiner: to be assigned

Filed: July 12, 2005

For: **MAGNETIC RECORDING MEDIUM, METHOD OF MANUFACTURING
THEREFOR, AND MAGNETIC READ/WRITE APPARATUS**

**PETITION UNDER 37 CFR § 1.181 TO WITHDRAW A HOLDING
OF ABANDONMENT AND, ALTERNATIVELY, PETITION
UNDER 37 CFR § 1.137(b) TO REVIVE ABANDONED APPLICATION**

MAIL STOP PETITION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned, on behalf of Applicants, petitions the Commissioner requesting withdrawal of the holding of abandonment of the above identified application. The application was abandoned for allegedly failing to respond to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US). However, a response was in fact sent to the PTO within the required time, but has evidently been misplaced by the PTO.

Submitted herewith is a copy of the following documents:

1. Response to Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (in duplicate) with a copy of the executed Declaration and Power of Attorney, copy of "Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)", and Check No. 298666 in the amount of \$130.00;
2. Petition for Extension of Time and Check No. 298669 in the amount of \$120.00;
3. Copy of an executed Assignment with PTO Form 1595 and the amount of \$40.00 to Deposit account 19-4880;
4. Petition Under 37 C.F.R. § 1.47(a) and Check No. 298668 in the amount of \$130.00;
5. Statement of Facts by Masaaki Yanagisawa with attached Documents 1-7;

BEST AVAILABLE COPY

PETITION UNDER 37 C.F.R. § 1.181
Application No. 10/541,905
Attorney Docket No. Q73847

6. The Filing Receipt date-stamped by the PTO on May 17, 2006, acknowledging the above-listed documents 1-5 filed on May 17, 2006;

7. The Notice of Recordation of Assignment mailed on July 14, 2006; and

8. The Notification of Abandonment mailed on December 19, 2006.

From documents 1-6, it is clear that this firm, representing Applicants, duly filed the Response to Notification of Missing Requirements with the PTO on May 17, 2006, well within the required time period. In addition, the receipt of the Notice of Recordation of Assignment would seem to indicate that the response was received by the PTO.

In view of the above it is respectfully submitted that the application should not have been abandoned and the Commissioner is petitioned to withdraw the holding of abandonment.

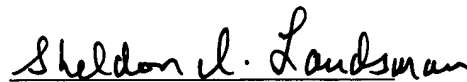
Alternatively, the undersigned petitions the Commissioner to revive the above application under 37 CFR §1.137(b).

1. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. §1.137(b) was unintentional.

2. A proper response is submitted herewith.

3. You are authorized to charge the petition fee of \$1,500 (37 C.F.R. § 1.17(m)) to Deposit Account No. 19-4880. The USPTO is directed and authorized to charge all required fees to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this transmittal letter is attached.

Respectfully submitted,



Sheldon I. Landsman
Registration No. 25,430

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: January 18, 2007



512

FILING RECEIPT

PLEASE DATE STAMP AND RETURN TO US - BOX 235X

In re application of

Kenji SHIMIZU, et al.

Appln. No.: 10/541,905

Group Art Unit: Unknown

Confirmation No.: 6243

Examiner: Unknown

Filed: July 12, 2005

For: MAGNETIC RECORDING MEDIUM, METHOD OF MANUFACTURING THEREFOR, AND
MAGNETIC READ/WRITE APPARATUS

PAPER(S) FILED ENTITLED:

1. Response to Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (in duplicate) with a copy of the executed Declaration and Power of Attorney, copy of "Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)", and Check No. **298666** in the amount of **\$130.00**
2. Petition for Extension of Time (in duplicate with Check No. **298669** in the amount of **\$120.00**)
3. Copy of an executed Assignment with PTO Form 1595 and the amount of \$40.00 to Deposit account 19-4880
4. Petition Under 37 C.F.R. § 1.47(a) (with Check No. **298668** in the amount of **\$130.00**)
5. Statement of Facts by Masaaki Yanagisawa with attached Documents 1-7

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
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DOCKET NO.: Q73847
ATTORNEY/SEC: Sheldon I. Landsman/
Date Filed: May 17, 2006

WASHINGTON OFFICE

23373

CUSTOMER NUMBER





BEST AVAILABLE COPY

Sughrue 2100 PENNSYLVANIA AVENUE, N.W. WASHINGTON, D.C. 20037-3213

INVOICE DATE	INVOICE NO.				NET INVOICE
05/17/06	OPER: DAM 124001 Q73847				130.00
CHECK NO.	CHECK DATE		TOTAL GROSS		NET CHECK
298666	05/17/06	10456			130.00
DIRECTOR OF U.S. PATENT AND TRADEMARK OFFICE					



Sughrue

SUGHRUE MION, PLLC

2100 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D.C. 20037-3213

ONE HUNDRED THIRTY AND 00/100 DOLLARS

PAY TO THE ORDER OF

DIRECTOR OF THE U.S. PATENT
AND TRADEMARK OFFICE

DATE

05/17/06

65-270
550

298666

SUNTRUST
SunTrust Bank

AMOUNT

130.00

NON-NEGOTIABLE

Cynthia C. Walker

⑈ 298666 ⑈ ⑆055002707⑆ 206548885⑈



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q73847

Kenji SHIMIZU, et al.

Appln. No.: 10/541,905

Group Art Unit: Unknown

Confirmation No.: 6243

Examiner: Unknown

Filed: July 12, 2005

For: MAGNETIC RECORDING MEDIUM, METHOD OF MANUFACTURING THEREFOR, AND
MAGNETIC READ/WRITE APPARATUS

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN
THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

MAIL STOP PCT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the "Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)," mailed February 17, 2006 for the above application, Applicant respectfully submits herewith a copy of the Declaration for the above identified application properly executed by eight of the nine inventors, a Petition for Extension of Time Under 37 C.F.R. § 1.136, a Petition Under 37 C.F.R. § 1.47(a) and a Statement of Facts with attached Documents 1 to 7. Also enclosed is a copy of an executed Assignment with a PTO Form 1595.

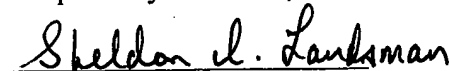
A check for the statutory fee of \$130.00 is attached. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: May 17, 2006

Respectfully submitted,


Sheldon I. Landsman
Registration No. 25,430

Sughrue 2100 PENNSYLVANIA AVENUE, N.W. WASHINGTON, D.C. 20037-3213

INVOICE DATE	INVOICE NO.				NET INVOICE
05/17/06	OPER: DAM 124001 073847				120.00
CHECK NO.	CHECK DATE		TOTAL GROSS		NET CHECK
298669	05/17/06 10456	DIRECTOR OF U.S. PATENT AND TRADEMARK OFFICE			120.00



Sughrue

SUGHRUE MION, PLLC

2100 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D.C. 20037-3213

DATE
05/17/06

65-270
550

298669

SUNTRUST
SunTrust Bank

***ONE HUNDRED TWENTY AND 00/100 DOLLARS**

PAY TO THE ORDER OF

DIRECTOR OF THE U.S. PATENT
AND TRADEMARK OFFICE

AMOUNT
***120.00**

NON-NEGOTIABLE

Cynthia C. Miller

⑈ 298669⑈ ⑆055002707⑆ 206548885⑈

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q73847

Kenji SHIMIZU, et al.

Appln. No.: 10/541,905

Group Art Unit: Unknown

Confirmation No.: 6243

Examiner: Unknwon

Filed: July 12, 2005

For: MAGNETIC RECORDING MEDIUM, METHOD OF MANUFACTURING
THEREFOR, AND MAGNETIC READ/WRITE APPARATUS

PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. § 1.136

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Sir:

Pursuant to 37 C.F.R. § 1.136, Applicant hereby petitions for an extension of time of one month(s), extending the time for responding to the Office Action of February 17, 2006 to May 17, 2006.

A check for the statutory fee of \$120.00 is attached. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860


Sheldon I. Landsman
Registration No. 25,430

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: May 17, 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/541,905	Kenji Shimizu	Q73847

23373
 SUGHRUE MION, PLLC
 2100 PENNSYLVANIA AVENUE, N.W.
 SUITE 800
 WASHINGTON, DC 20037

DOCKETED

FEB 23 2006

INTERNATIONAL APPLICATION NO.	
PCT/JP04/00205	
I.A. FILING DATE	PRIORITY DATE
01/14/2004	01/14/2003

CONFIRMATION NO. 6243

371 FORMALITIES LETTER



OC000000018059863

Date Mailed: 02/17/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/12/2005
- Copy of the International Search Report filed on 07/12/2005
- Preliminary Amendments filed on 08/31/2005
- Information Disclosure Statements filed on 07/12/2005
- Request for Immediate Examination filed on 07/12/2005
- U.S. Basic National Fees filed on 07/12/2005
- Priority Documents filed on 07/12/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

JOHN L ANDERSON

Telephone: (703) 308-9140 EXT 211

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/541,905	PCT/JP04/00205	Q73847